

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOHN MICHAEL SMITH,

Case No.: 2:23-cv-01931-APG-NJK

**Plaintiff**

## **Order Accepting Report and Recommendation and Dismissing Case**

V.

RICHARD PERKINS, et al.,

[ECF No. 9]

## Defendants

8 On March 14, 2024, Magistrate Judge Koppe recommended that I dismiss this case  
9 without prejudice because plaintiff John Smith did pay the initial partial filing fee as ordered.  
10 ECF No. 9. Smith did not object. Thus, I am not obligated to conduct a de novo review of the  
11 report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo  
12 determination of those portions of the report or specified proposed findings to which objection is  
13 made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the  
14 district judge must review the magistrate judge’s findings and recommendations de novo if  
15 *objection is made*, but not otherwise” (emphasis in original))

I THEREFORE ORDER that Magistrate Judge Koppe's report and recommendation (ECF No. 9) is accepted and this case is dismissed without prejudice. The clerk of court is instructed to close this case.

DATED this 2nd day of April, 2024.

  
ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE